

James A. McDevitt
United States Attorney
Eastern District of Washington
Shawn N. Anderson
Assistant United States Attorney
Post Office Box 1494
Spokane, WA 99210-1494
Telephone: (509) 353-2767

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

3322 SOUTH DIVISION STREET,
SPOKANE, WASHINGTON,
TOGETHER WITH ALL
APPURTENANCES, FIXTURES,
ATTACHMENTS, AND
IMPROVEMENTS THERETO AND
THEREUPON,

Defendant.

CV-08-345-RHW

Joint Status Conference
Certificate and Proposed
Discovery Plan

Plaintiff, United States of America, by and through James A. McDevitt, United States Attorney for the Eastern District of Washington and Shawn N. Anderson, Assistant United States Attorney; Claimant, Jeremy Heward, by and through his attorney, Mark C. Prothero; and, Claimant, Aurora Loan Services, LLC, by and through its attorney, Rochelle Stanford, submit the following status conference certificate and proposed discovery plan in compliance with the order of this court and Rules 26(a)(1) and (f) of the Fed. R. Civ. P.

(1) Service of Process on Parties: The parties agree that Notice and Service of Process is complete.

1 (2) Jurisdiction and Venue: The parties agree that jurisdiction and venue are
2 proper within the above court.

3 (3) Anticipated motions: The government intends to file a motion for
4 summary judgement upon completion of discovery, no later than July 23, 2009.
5 Claimant, Mr. Heward reserves the right to file motions upon completion of discovery,
6 those may include a dismissal request.

7 (4) The parties propose the following discovery plan:
8 Plaintiff, United States, and Claimants will exchange the following information
9 pursuant to Rule 26 of the Fed. R. Civ. P. on or before April 10, 2009.

10 (a) A listing of the names, addresses and telephone numbers of each
11 individual likely to have discoverable information; and,

12 (b) copies of all documents, data compilations and tangible things that
13 are relevant to the disputed facts herein.

14 The parties will conduct further discovery, with a proposed discovery cutoff
15 date of July 9, 2009.

16 (5) Recommended Dates for Pretrial Conference and Trial, and length of
17 trial: The parties agree to a pretrial conference the week of September 28, 2009, and
18 trial to begin the week of October 12, 2009. The trial should last no longer than three
19 days.

20 (6) Appropriateness of Special Procedures such as Consolidation of Actions:
21 The parties are unaware of the necessity for special procedures at this time.

22 (7) Modification of the standard pre-trial procedures: The parties do not
23 believe that modification or deviation is necessary in this matter.

24 (8) Structuring of the Trial: Not applicable.

25 (9) Prospects for Settlement: The United States and Claimant, Aurora Loan
26 Services, LLC, will discuss entering into an expedited settlement agreement regarding
27 Aurora's interest in the Defendant real property.
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1 (10) Any other Matters Conducive to Just, Efficient, and Economical
2 Determination of the Action: The parties are unaware of any course of action which
3 would fit the above criteria with respect to the instant matter.

4 DATED this 24th day of February, 2009.

5 James A. McDevitt
6 United States Attorney

7 s/Shawn N. Anderson

8 Shawn N. Anderson
9 Assistant United States Attorney

10 *Approved via email 2/24/09*

11 Mark C. Prothero
12 Attorney for Claimant
13 Jeremy Heward

14 *Approved via email 2/24/09*

15 Rochelle Stanford
16 Attorney for Claimant
17 Aurora Loan Services, LLC
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